

Central Intelligence Agency



Washington, D.C. 20505

OLL 84-0794
1 MAR 1984

Mr. James M. Frey
Assistant Director for Legislative Reference
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Frey:

This is in response to your request for the views of the Central Intelligence Agency (CIA) on a Department of Justice draft bill which would ban the manufacture or importation of certain armor-piercing handgun ammunition. With the exception of a suggested amendment to proposed subsection 929(b), 18 U.S.C., discussed below, the CIA has no objection to this draft legislation.

Section 2 of the proposed bill creates a new section 929 in title 18 which provides felony penalties of imprisonment for up to five years and a fine of up to \$50,000 for the manufacture or importation of handgun ammunition which the manufacturer or importer knows exceeds certain penetration limits established by the bill. Proposed subsection 929(b) provides that the provisions of this section will not apply to the manufacture or importation of armor-piercing handgun ammunition for sale to federal, state or local law enforcement agencies, for sale to a component of the armed services, or for research activities authorized by the Attorney General, provided that such manufacture or importation is pursuant to a written order submitted by the law enforcement agency or component of the armed services. Because certain Intelligence Community agencies conduct research which involves the purchase and testing of armor-piercing ammunition in order to devise suitable protection against its use by terrorists and other individuals, we believe that this subsection should be expanded to include a national security exemption. We would suggest that the following sentence be added at the end of subsection (b):

The provisions of this section also do not apply to the manufacture or importation of armor-piercing handgun ammunition for sale to a federal agency for use by its employees for national security or intelligence purposes.

Other than the above suggested amendment, the Agency has no objection or other comment concerning this draft legislation. Given the amendment that we have suggested above, we would appreciate being kept closely informed as to the formulation of an Administration position on this proposal.

Sincerely,

/s/ Clair E. George

Clair E. George
Director, Office of Legislative Liaison

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SWH:csH (29 February 1984)